

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	PS Docket No. 12-94
Transition Process for 700 MHz Public)	PS Docket No. 06-229
Safety Broadband Waiver Recipients)	
)	

To: Chief, Public Safety and Homeland Security Bureau

COMMENTS OF THE CITY OF SEATTLE

The City of Seattle, which holds a license with the Public Safety Spectrum Trust (PSST) and a waiver of FCC rules to construct and operate a Public Safety Wireless Broadband Network in 700 MHz spectrum, files these comments in response to the Public Safety and Homeland Security Bureau's Request for Comment on the transition process for 700 MHz public safety broadband waiver recipients.¹

The City of Seattle concurs with and supports the joint comments of the Public Safety Spectrum Trust Operator Advisory Committee (PSST-OAC) previously filed in this proceeding. The membership of the OAC consists of 21 jurisdictions that have been granted waivers by the Commission to pursue early deployment of public safety broadband networks using the 10 MHz of public safety broadband spectrum previously allocated in the 700 MHz band.² Each of the 21

¹ Public Notice, "Public Safety and Homeland Security Bureau Seeks Comment on transition Process for 700 MHz Public Safety Broadband Waiver Recipients," DA 12-555 (rel. April 6, 2012).

² On May 13, 2010, the Commission granted conditional waivers to twenty-one public safety jurisdictions. *See* Requests for Waiver of Various Petitioners to Allow the Establishment of 700 MHz Interoperable Public Safety Wireless Broadband Networks, PS Docket 06-229, *Order*, 25 FCC Rcd 5145, 5147 ¶ 7 (2010) (*Waiver Order*). The Bureau granted a twenty-second waiver, in May 2011, to the State of Texas (Texas) and required Texas to adhere to the cumulative conditions imposed on the initial waiver recipients. *See* Requests for Waiver of Various Petitioners to Allow the Establishment of 700 MHz Interoperable Public Safety Wireless Broadband Networks, PS Docket 06-229, *Order*, 26 FCC Rcd 6783 (PSHSB 2011) (*Texas Waiver Order*). The membership of the OAC includes the following 21 waiver recipients: City of Boston; City and County of San Francisco, City of Oakland, City of San Jose, CA; State of New Jersey; City of New York; City of San Antonio, TX, on behalf of the San Antonio Urban Area Security Initiative Region; City of Chesapeake, VA; State of New Mexico; City of Charlotte, NC; State of New York; District of Columbia; County of Maui, County of Hawai'i, County of Kaua'i, City and County of Honolulu, and the

jurisdictions comprising the OAC has entered into a Commission-approved long-term *de facto* transfer lease with the Public Safety Spectrum Trust (“PSST”), the entity that holds the existing 10 MHz nationwide public safety broadband license, Call Sign WQHW226.³ These Leases allow the 21 waiver recipients to make use of the spectrum in their respective jurisdictions.

In addition to obtaining its own Waiver and Lease, the City of Seattle has led a coalition of cities, counties, other public safety agencies and the State of Washington in requesting a geographically broader Waiver which would authorize construction of a 700 MHz wireless broadband network in a four County region in the Central Puget Sound area of Washington State. This region is home to over 3,000,000 people and significant vulnerable industries such as aircraft factories of the Boeing Company, headquarters and operations of strategic technology companies including Microsoft, and significant Department of Defense installations such as Joint Base Lewis-McCord and Naval Station Everett. This Waiver is pending with the Commission.

Pursuant to its Waiver and Lease, the City of Seattle has made extensive investment in both time and capital to prepare for construction of a 4G Long Term Evolution (LTE) Broadband Network. This investment includes extensive preparation of a detailed plan with 38 cell sites created to pursue grant funding opportunities such as the Broadband Technology Opportunities Program (BTOP) presently administered by the National Telecommunications and Information Administration (NTIA).

State of Hawai‘i; City of Seattle, WA; Adams County, CO Communications Center; City of Pembroke Pines, FL; Los Angeles Regional Interoperable Communications System (LA-RICS); Iowa Statewide Interoperable Communications Systems Board; Calumet, Outagamie and Winnebago Counties, WI; Mississippi Wireless Communications Commission; City of Mesa, AZ and the TOPAZ Regional Wireless Cooperative; State of Oregon; State of Texas.

³ See Public Notice, “Public Safety and Homeland Security Bureau Approves Long Term De Facto Transfer Spectrum Lease Agreements Filed by Conditional Waiver Recipients to Establish 700 MHz Interoperable Public Safety Wireless Broadband Networks,” DA 10-1687 (rel. Sept. 2, 2010). The City and County of San Francisco, City of Oakland and City of San Jose, CA (“Cities”) currently have a Petition pending with the Commission seeking to waive the 60-day time limit for entering into a *de facto* transfer lease and expeditiously authorize a new *de facto* transfer spectrum lease between the PSST and the Cities to cure defects with the signature on the original lease.

The City of Seattle respectfully submits that in transitioning Call Sign WQHW226 to FirstNet, the FCC should continue the Waivers and extend the 21 leases (currently set to expire on September 2, 2012) for an additional two-year period, to allow the early builders' efforts to continue. The rationale for this transition plan, including many more details on that plan, are contained in the Comments submitted by the PSST-OAC in this docket.

The City of Seattle brings unique plans, perspective and resources to the effort to create the Nationwide Public Safety wireless Broadband Network (NPSBN). This effort will be led by the soon-to-be-established FirstNet Authority. Seattle's plans include:

- An in-progress Request-for-Information (RFI) seeking input and detailed plans from private companies to build an LTE network in Seattle, as well as to upgrade existing 800 MHz trunked public safety land-mobile radio (LMR) networks, all under a public-private-partnership (PPP) arrangement.
- Seattle has pursued the RFI for this PPP under the leadership of a three-county governance structure called the Radio Executive Policy Committee (REPC) which includes senior elected and appointed officials from the Region. This governance structure demonstrates the broad intergovernmental support for the initiative.
- Seattle has pursued the RFI for this PPP in conjunction with and at the request of the former United States Chief Technology Officer (CTO) Aneesh Chopra, and working with several federal government agencies, including the Department of Homeland Security's Office of Emergency Communications (DHS/OEC).
- The City received twenty-one responses to the RFI, and has met with most of the major responding companies. It is clear the City can establish LTE networks using equipment and applications from at least three different infrastructure providers with two major

telecommunications roaming partners. This set of networks can be established at little cost to the City. Establishing this set of networks will allow the City to have a field operations testbed for equipment and applications which can be used in real-world daily incidents by first and second responders. This testbed would include not only police, fire and emergency medical responders, but an electric and water utility, building and transportation departments, and many other governmental functions.

- In constructing the network in this fashion, the City of Seattle will not only test interoperability of infrastructure, devices, applications and governmental functions, but will test the viability of the public-private partnerships vital to the success of FirstNet.

Curtailing the work at this juncture will prematurely and unnecessarily end the ability to learn from these efforts, and will potentially frustrate and slow the progress that this early deployment represents towards achieving a successful nation public safety broadband network.

Respectfully submitted,

THE CITY OF SEATTLE, WASHINGTON

By:

A handwritten signature in black ink, appearing to read "William M. Schrier".

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